



Receipt #6

PATENT
ATTORNEY DOCKET NO. 11345/024001
U.S. PATENT APPLICATION NO. 09/601,591

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jerome MERIC et al. Art Unit : 2152
Serial No. : 09/601,591 Examiner :
Filed : September 25, 2000
Title : CONFIGURING METHOD AND DEVICE

Assistant Commissioner for Patents
Washington, DC 20231

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REQUEST TO CORRECT FILING RECEIPT

Applicant requests that the number of drawings in the application be corrected from "zero drawing" to "12 drawings".

Enclosed is a copy of the filing receipt as received from the PTO. The number of drawings is in error. The correct number should be "12 drawings", as shown in the enclosed copies of:

1) a copy of the returned postcard which shows the correct number of drawings in the application; and

2) a copy of the PCT International Preliminary Examination Report which indicates that PCT/IB99/00274 (the application this application is based on) contained 12 drawing sheets.

Because this is a PTO error, no petition is believed necessary. However, if a petition is deemed to be required, please consider this paper as such and charge the appropriate fees to the Deposit Account 50-0591, reference No. 11345/024001.

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If there are any other charges, or any credits, please apply them to the same Deposit

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Date:

5/18/01

Signature:

Richard P. Osha reg no 39,182
for
Jonathan P. Osha
Reg. No. 33,986

ROSENTHAL & OSHA L.L.P.
700 Louisiana Street, Suite 4550
Houston, TX 77002

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15479_1.DOC

Date of Deposit May 18, 2001
I hereby certify under 37 CFR 1.8(a) that this correspondence is being
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Tawana L. Garcia

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/601,591	09/25/2000	2152	1408	11345.024001	12	40	4

22511
ROSENTHAL & OSHA LLP
SUITE 4550
700 LOUISIANA
HOUSTON, TX 77002

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FILING RECEIPT



OC000000005845470

Date Mailed: 03/14/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jerome Meric, Senlis, FRANCE;
Christophe Declerck, Senantes, FRANCE;
Patrice Letourneur, Suresnes, FRANCE;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A 371 OF PCT/IB99/00274 02/03/1999

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 98400240.2 02/04/1998

If Required, Foreign Filing License Granted 03/09/2001

Title

Configuring method and device

Preliminary Class

709

Data entry by : ORDENEZ, MARTA

Team : OIPE

Date: 03/14/2001

03/19/2001
WH



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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
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Any corrections that may need to be done to your Filing Receipt should be directed to:

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Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231



PATENT

Docket No: 11345-024601 **424 Rec'd PCT/PTO 04 AUG 2000**

The Patent and Trademark Office date stamp hereby acknowledges receipt of the following documents:

Applicant/Patentee: TERCME MERIC et al.

Serial/Patent No:

Filed/Issued:

Title:

August 4, 2000
CONFIRMING METHOD and Device

- ☒ Application (Original/CIP/Cont./Div./Provisional/CRA/PCT National Phase)
☒ 2 pages transmittal; 3 pages specification; 2 pages of claims; 40 number of claims
☐ 1 pages of abstract; 12 sheets of drawings (formal/informal/amended)
☐ Assignment and cover sheet
☐ Small Entity Declaration (signed/unsigned)
☐ Combined Declaration and Power of Attorney (signed/unsigned) (4 pages)
☐ Transmittal letter
☐ 3 pages Amendment/Response
☐ 3 pages Preliminary Amendment
☐ Notice of Missing Parts
☐ Information Disclosure Statement, 2 pages; 1 PTO-1449 Form; 4 No. of refs
☐ Issue Fee Form PTOL-85(b)
☐ Check \$ filing fees deferred Request for Patent Copies
☐ Deposit Account Order Form (2 copies)

☒ Other Copy of PCT Search Report (4 pages) & Copy of PCT Written Opinion (5 pages) & Copy of PCT Notification of Transmittal of the International Preliminary Examination Report (2 pages) & Certificate of Mailing by Express Mail (1 page)
Express Mail No. EL521606705US Date: 8-4-00 Init: duft

09/601591

25-05-2000

PCT/IB99/00274

INCANNEX



PATENT COOPERATION TREATY

REC'D 12 MAY 2000

PCT

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PDC/AB/19887		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB99/00274	International filing date (day/month/year) 03/02/1999	Priority date (day/month/year) 04/02/1998	
International Patent Classification (IPC) or national classification and IPC H04N1/00		RECEIVED JUL 11 2001	
Applicant CANAL+ SOCIETE ANONYME et al.		Technology Center 2600	

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 04/08/1999	Date of completion of this report 10.05.2000
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Haybach, R Telephone No +49 89 2399 8990 

Printed: 31-05-2000

(cover sheet) (January 1994)

25-05-2000

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PCT/IB99/00274

INCANNEX

11.25.05.00

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IB99/00274

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

Description, pages:

1-36 as originally filed

Claims, No.:

1-42 as originally filed

Drawings, sheets:

1/12-12/12 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application.
☒ claims Nos. 41,42.

because:

12.05.00

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB99/00274

- ☒ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

see separate sheet

- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☐ no international search report has been established for the said claims Nos.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-40
Inventive step (IS)	Yes: Claims	
	No: Claims	1-40
Industrial applicability (IA)	Yes: Claims	1-40
	No: Claims	

2. Citations and explanations

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB99/00274

1. The following document is cited in the International Search Report is referred to in this report:

D1 = EP-A-0 562 295

Article 6, PCT

2. The term "device for use in..." in claims 1 and 28 is unclear since it leaves open if the receiver/decoder in which the device is to be used is part of the claimed apparatus or not.
3. Claim 12 which refers to any previous claim is unclear since it claims a plurality of client applications and e.g. when referring directly back to claim 1 it is open what these client applications are or do.
4. Claims 41 and 42 are unclear since the claims as such do not define the scope of protection sought. (see also Rule 6.2 PCT)

Article 33(2) PCT

5. Document D1 (see whole document) discloses a system for controlling several smart cards. The system either tries one after the other all smart cards to find the correct one to descramble an encoded program or the device stores some basic data of all smart cards such that for a given encrypted channel the device can switch immediately to the correct smart card. In this system, only one smartcard (the one in use) is powered up and operational.
The set up is such that the processor in the decoder ("manipulation means") carries out the decoding process according to a predefined general algorithm (can be regarded as "manipulation protocol") and gets the parameters for adapting the decoding process to the incoming data form the smart card. This transfer of parameters can be regarded as "configuration of a manipulation protocol".

Since in one mode the processor knows which card reader to use for a desired television program an identifier for the required card is generated and only the

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB99/00274

parameters of the selected card are loaded into the descrambler and are used by the manipulation algorithm of the decoder. This functionality is regarded as falling under the scope of "receiving a command instructing configuration of the manipulation protocol in dependence on to conditional access system":

In this mode of operation of D1 the features claimed in the dependent claims are implicitly disclosed in D1.

Thus, the subject matter of claims 1-40, as far as they can at present be understood, is known from D1 and these claims do not meet the requirements of Article 33(2) PCT.

Miscellaneous

6. The application does not meet the requirements of Rule 5.1 PCT, since the prior art as represented by document D1 is not disclosed therein.